

Message Text

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C O N F I D E N T I A L SOFIA 2639

E.O. 11652: GDS
TAGS: SHUM, CGEN, PFOR, BU (MAREVA, RUMYANA AND YORDANKA)
SUBJECT: DIVIDED FAMILY CASE: RUMYANA AND YORDANKA MAREVA; MEETING
WITH CONSULAR DEPT, MFA

REF: A) STATE 300561, B) SOFIA 2584

1. CONSUL CALLED ON NIKOLAI KOVACHEV, DEPUTY DIRECTOR MFA
CONSULAR DEPT DECEMBER 10 TO DISCUSS MAREVA CASE. HE WAS
TOLD "GOB COMPETENT AUTHORITIES" HAVE DECIDED: (A) MAREVS
WILL BE ALLOWED TO RETURN TO BULGARIA TO JOIN THEIR
CHILDREN; (B) IF MAREVS DECIDE TO RETURN, THEY MUST MAKE
APPLICATION TO BULGARIAN EMBASSY WASHINGTON FOR PASSPORTS
AND AMNESTY; (C) MAREVS HAVE UNTIL JANUARY 15, 1977 TO
RETURN TO BULGARIA BEFORE CONSIDERATION FOR AMNESTY WILL
LAPSE; (D) MAREVS ARE CONSIDERED TO BE BULGARIAN CITIZENS
STILL, SINCE THEY HAVE NOT COMPLIED WITH BULGARIAN LAW
ON RENUNCIATION OF NATIONALITY, AND THEREFORE "MUST ADDRESS
THEMSELVES TO BULGARIAN AUTHORITIES FOR DEALING WITH THEIR
PROBLEM" AND NOT TO USG.

2. KOVACHEV EMPHASIZED THAT CHILDREN ARE "UNDER SPONSOR-
SHIP OF THE STATE," WHICH HE CLAIMED WAS PROVIDING FOR
THEM. HE CLAIMED TO BE UNAWARE OF A GUARDIANSHIP RELATION
WITH THEIR UNCLE, ZHELEZOV, OR OF ZHELEZOV'S DESIRE TO
EMIGRATE TOGETHER WITH THE MAREVA CHILDREN. KOVACHEV
ALSO DREW PARALLEL WITH KHRISTOV CASE, BUT DID NOT PRESS
THE POINT.

3. ASKED ABOUT POSSIBILITIES FOR FURTHER REVIEW, KOVACHEV
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SAID IF EMBASSY INSISTS, CASE CAN BE RAISED BEFORE MFA

CONSULAR REVIEW BOARD HEADED BY MFA DEPUTY MINISTER ZHIVKO POPOV, OR MAREVS CAN FILE REQUEST WITH BULGARIAN EMBASSY WASHINGTON FOR REVIEW BY BULGARIAN COUNCIL OF STATE AND/OR SUPREME COURT. KOVACHEV SAID ALL SUCH REVIEWS WOULD BE LENGTHY PROCEDURES.

4. COMMENT: UNYIELDING THOUGH IT WAS, THERE WERE TWO INTERESTING OMISSIONS IN KOVACHEV'S PERFORMANCE: HE DID NOT SAY FLAT OUT THAT PASSPORT APPLICATIONS HAVE BEEN REFUSED, NOR DID HE CLAIM THAT CHILDREN DO NOT WISH TO JOIN THEIR PARENTS, ARE COMPLETELY HAPPY HERE IN BULGARIA, ETC. ON THE POSITIVE SIDE, WE SHOULD POINT OUT THAT BY SUGGESTING MAREVS RETURN TO BULGARIA TO JOIN THEIR CHILDREN, GOB IMPLICITLY HAS RECOGNIZED CONTINUATION OF THE FAMILY BOND AND RIGHT OF PARENTS AND CHILDREN TO BE REUNITED. THESE ARE POINTS WE CAN USE.

5. BULGCITS VS. AMCITS. THE LINE THAT ANYONE WHO HAS NOT RENOUNCED BULGARIAN CITIZENSHIP ACCORDING TO PROCEDURES SPECIFIED IN GOB LAW REMAINS A BULGARIAN NATIONAL, AND THAT COUNTRY OF SUBSEQUENTLY ACQUIRED NATIONALITY HAS NO ROLE TO PLAY, IS A FAVORITE OF KOVACHEV'S (AND OF MFA CONSULAR DEPT SINCE HIS ARRIVAL THERE LAST YEAR). HIS CONTENTION APPEARS TO US TO BE COMPLETELY CONTRARY TO NATURALIZATION TREATY BETWEEN US AND BULGARIA (TREATY AND OTHER INTERNATIONAL AGREEMENTS OF USA, PP. 1083-1085). (THIS IS TOPIC SUBJECT OF SEPTEL.) IMPLICATION, OF COURSE, IS THAT DIVIDED FAMILY CASES ARE MATTERS BETWEEN SPONSOR AND GOB, AND THAT NEITHER USG NOR THIS EMBASSY HAS ANY ROLE TO PLAY. IT IS A LINE TAKEN WITH OTHER WESTERN EMBASSIES AS WELL. FOR OUR PART, WE POINTED OUT THAT OATH OF ALLEGIANCE TAKEN BY NATURALIZED CITIZENS SPECIFICALLY INCLUDES RENUNCIATION OF ALL FORMER ALLEGIANCES. NATURALIZED AMCITS SUCH AS MAREVS ARE ENTITLED TO FULL PROTECTION AND SUPPORT OF USG, AND THAT EMBASSY OBVIOUSLY MUST BE INVOLVED IN ISSUANCE OF VISAS TO THOSE WHOM THEY ARE SPONSORING. WE LAID GREATEST STRESS ON FACT THAT PRESIDENT ZHIVKOV HAS GIVEN FULL AND UNEQUIVOCAL ASSURANCES THAT ALL DIVIDED FAMILY CASES WILL BE SETTLED AND THAT THIS STATESMANLIKE POLITICAL DECISION SHOULD OVERRIDE THE TECHNICALITIES CITED BY KOVACHEV. CONFIDENTIAL

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6. PLAN OF ACTION. WE SEE NO ADVANTAGE IN GOING THROUGH FORMAL GOB APPEAL PROCEDURES MENTIONED BY KOVACHEV. INSTEAD, CHARGE HAS REQUESTED APPOINTMENT WITH AMBASSADOR PERVAN CHERNEV, CHIEF OF MFA FOURTH SECTION, AND WILL FIRMLY POSE MAREV CASE AS BILATERAL POLITICAL MATTER. WE BELIEVE THIS SHOULD BE PARALLELED IN WASHINGTON BY CALLING AMBASSADOR POPOV IN. FURTHER REPRESENTATIONS PROBABLY WILL

BE NECESSARY; WE WILL MAKE ADDITIONAL RECOMMENDATIONS AFTER SEEING CHERNEV. WE ALSO BELIEVE IT ADVISABLE FOR SENATORS MENTIONED REF A, PARA 4, TO WRITE TO TODOR ZHIVKOV, CHAIRMAN, COUNCIL OF STATE, PEOPLE'S REPUBLIC OF BULGARIA, IN CARE OF BULGARIAN EMBASSY WASHINGTON, WITH COPIES TO AMBASSADOR POPOV.

7. WITH REFERENCE TO QUESTION POSED PARA 5, REF A, ISSUE OF CHILDREN'S OWN WISHES WAS NOT MENTIONED BY KOVACHEV AND THUS MAY NOT BECOME AN ISSUE. ENTIRELY ASIDE FROM THE FACT THAT GOB IS MOST UNLIKELY TO ISSUE THE MAREVS VISITOR'S VISAS IN AMERICAN PASSPORTS (AND WE WOULD RECOMMEND STRONGLY AGAINST THEIR RETURNING TO BULGARIA ON ANY OTHER BASIS), WE SEE LITTLE TO BE GAINED BY THEIR VISITING HERE AND MUCH THAT MIGHT BE LOST. THERE IS THE MATTER OF THE UNCERTAIN RELATIONS BETWEEN THE MAREVS AND ZHELEZOV, INABILITY TO PREDICT WHAT WOULD TAKE PLACE IN A MEETING BETWEEN MAREVS AND THEIR CHILDREN, AND THE FACT THAT IN A SENSE WE WOULD BE BOWING TO GOB VIEWS THAT REUNIFICATION SHOULD TAKE PLACE ON BULGARIAN RATHER THAN US SOIL. THUS WE RECOMMEND AGAINST ANY VISA APPLICATION AT THIS TIME.
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